

**DEPARTMENT OF THE TREASURY
OFFICE OF FOREIGN ASSETS CONTROL**

Guidelines for License Applications

Specific Licenses for Travel to Cuba to engage in Educational
Exchanges to Promote People-to-People Contact

The Cuban Assets Control Regulations, 31 C.F.R. Part 515 (the "Regulations"), which are administered by the Office of Foreign Assets Control ("OFAC"), prohibit all persons subject to U.S. jurisdiction from dealing in property in which Cuba or a Cuban national has an interest. This prohibition includes all Cuba travel-related transactions unless such transactions are authorized in accordance with current licensing policy or unless such transactions are otherwise exempt.

Specific licenses may not be granted when the purpose of travel to Cuba is to engage in tourism or in prohibited business transactions. See § 515.560(g) of the Regulations. In order for a person to engage in travel-related transactions with Cuba, he or she must demonstrate eligibility under a licensable category set forth in § 515.560(a) of the Regulations.

Under § 515.565(b)(2) of the Regulations, OFAC may make available on a case-by-case basis licenses authorizing Cuba travel-related transactions incident to educational exchanges, not involving academic study pursuant to a degree program, that take place under the auspices of an organization that sponsors and organizes such programs to promote people-to-people contact. Section 515.565(b)(2) implements in part current U.S. policy toward Cuba, which promotes two-way exchanges among academics, athletes, scientists, and others. These exchanges are intended to help the Cuban people, without strengthening the Cuban Government, by reaching out to them through humanitarian efforts and by supporting the development of peaceful, independent activity and civil society.

Consistent with this policy, OFAC considers people-to-people (i.e., non-governmental) contacts to result from activities that (1) allow individuals from the United States and individuals from Cuba to interact on a direct and individual basis, (2) generally do not involve meetings with Government of Cuba officials (however, a meeting with Government of Cuba officials may be acceptable depending upon the circumstances), and

(3) contribute to humanitarian efforts and the development of civil society in Cuba.

OFAC considers several specific factors in its review of applications, including the following:

1. Whether the proposed activities are under the auspices of an organization that sponsors and organizes educational exchanges to promote people-to-people contacts.
2. Whether most if not all of the proposed activities in the field will be with persons or entities that are not acting, directly or indirectly, for or on behalf of the Government of Cuba or its parastatal industries or enterprises.
3. Whether the program is structured to enable participants to have direct and individual people-to-people dialogues with the Cuban people and how the trip will allow for such dialogues.
4. Whether the U.S. participants have received a briefing or educational materials about Cuba and the Cuban people prior to the trip.
5. Whether each traveler will be fully participating in all of the proposed people-to-people activities, or whether the sponsor is opening the trip to non-participants in the people-to-people programs.
6. Whether the proposed activities with the Cuban people are educational in nature, such as participation along with the Cuban people in joint activities (e.g., seminars, lectures, workshops or similar activities).

Applications shall be mailed to:

Director
Office of Foreign Assets Control
U.S. Department of the Treasury
2nd Floor Annex
1500 Pennsylvania Avenue, N.W.
Washington, DC 20220

Should you have any further questions about the application process, please contact the Licensing Division at (202) 622-2480.